

ORIGINAL
(Red)

159698

RE: EZ Chemical Site

5/23/89

Dear :

The Environmental Protection Agency is presently involved in a removal action under the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. 9601 et seq., as amended by the Superfund Amendments and Reauthorization Act of 1986 ("Superfund") at the EZ Chemical Site in Philadelphia, Pennsylvania. While performing this removal action, EPA has discovered various chemicals on Site. Many of these chemicals are in 55 gallon drums and other containers.

As part of the EPA removal action, these drums and containers ordinarily would be transported by EPA to a facility permitted under the Resource Conservation and Recovery Act (RCRA), 40 U.S.C., 6901 et seq., for disposal in accordance with regulations promulgated under RCRA using Superfund monies. It is EPA's understanding that you or your representatives will purchase, or have purchased chemicals from EZ Chemical and plan to have these chemicals removed from the EZ site. At the time the chemicals are removed from the site you or your representatives will assume full responsibility for them, and for handling them in accordance with all applicable laws and regulations.

EPA will arrange for your company to take custody of these chemical drums if your company agrees to the following conditions:

1. The chemical drums will be handled, disposed of and/or used in accordance with all Federal, state and local laws.

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2. Prior to your company taking custody of these chemicals, your company shall notify EPA, in writing, of the ultimate disposal or final use destination for the chemicals, the ultimate method of disposal or final use, and the route, and means of transportation to the ultimate disposal or final use destination, if the ultimate disposal or final use of these drums is to be modified or changed.

3. Prior to your company taking custody of these chemicals, your company shall notify EPA what sampling, if any, of the chemicals your company intends to perform. The proposal for sampling shall specify the purpose for sampling, and at what point in the transportation / disposal process sampling will be performed. Also, EPA should be advised of all drums which will not be sampled and an explanation as to why your company does not anticipate performing sampling on the drums.

4. EPA shall be notified, within five (5) working days, each time a chemical is sampled and each time the company learns the analytical results of the samples. The latter notification shall include the sample analysis results.

5. Any activity on the Site will be under the supervision of EPA's On-Scene Coordinator or the authorized representative of such On-Scene Coordinator. All site safety requirements will be followed according to the directions of the On-Scene Coordinator or his authorized representative.

Please indicate the intention and agreement of your company to abide by the conditions set forth herein by signing below and returning this letter to:

Christopher P. Thomas
U.S. Environmental Protection Agency
CERCLA Removal Enforcement Section (3HW13)
841 Chestnut Building
Philadelphia, Pa. 19107

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Please send all information required by the letter agreement to the above address.

If you have any questions, please contact Mr. Thomas at (215) 597-4458.

Sincerely,

Christopher D. Thomas per

George English
On-Scene Coordinator
EPA Region III

Name of Company:

MURD COMPANY

Authorized Company Representative:

Arthur A. Haines

Signature:

Arthur A. Haines

Date:

5/23/89

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